

EXHIBIT G

Videotaped Deposition of
Tracy Wolff
March 07, 2023

Freeman

vs.

Deebs

Confidential



Tracy Wolff

Confidential

**Freeman vs.
Deebs**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

3 LYNNE FREEMAN,)
4 AN INDIVIDUAL)
5 PLAINTIFF,)
6 VS.)
7 TRACY DEEBS-ELKENANEY)
8 P/K/A TRACY WOLFF, AN)
9 INDIVIDUAL, EMILY SYLVAN)
10 KIM, AN INDIVIDUAL,)
11 PROSPECT AGENCY, LLC, A)
12 NEW JERSEY LIMITED)
13 LIABILITY COMPANY,)
14 ENTANGLED PUBLISHING,)
LLC, A DELAWARE LIMITED)
LIABILITY COMPANY,)
HOLTZBRINCK PUBLISHERS,)
LLC D/B/A MACMILLAN,)
A NEW YORK LIMITED)
LIABILITY COMPANY, AND)
UNIVERSAL CITY STUDIOS,)
LLC, A DELAWARE)
LIMITED LIABILITY COMPANY)
DEFENDANTS.)

CASE NO. 1:22-CV-02435-LLS

JOB NO. 10115799

16 STATE AND VIDEO TAPE DEPOSITION OF
17 TRACY WOLFF
MARCH 07, 2023

20 ORAL AND VIDEOTAPED DEPOSITION of TRACY WOLFF,
21 produced as a witness at the instance of the Plaintiff,
22 and duly sworn, was taken in the above-styled and
23 numbered cause on the 7th day of March, 2023, from 8:54
24 a.m. to 4:34 p.m., before Gabriela S. Silva, CSR, RPR in
25 and for the State of Texas, reported by stenograph, at
the Law Offices of Kowert, Hood, Munyon, Rankin &
Goetzl, 1120 S. Capital of Texas Hwy, Building 2,
Austin, Texas, pursuant to the Federal Rules of Civil
Procedure and the provisions stated on the record or
attached hereto.

Confidential**Tracy Wolff****Freeman vs.
Deebs**1 A P P E A R A N C E S
2

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24 ALSO PRESENT:

25 Mr. Walter Bryan, Videographer
Mr. Trent Baer, Plaintiff's Husband
Mr. Lance Koonce (via Zoom)
Mr. Zachary Press (via Zoom)
Mr. Stephen Doniger (via Zoom)
Mrs. Lynne Freeman (via Zoom)

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1 have to answer the question unless she instructs you not
2 to answer the question. So it's very important that you
3 understand my questions because you'll be testifying
4 under penalty of perjury. You understand what that
5 means?

6 A. I do, yes.

7 Q. So if you don't understand one of the questions,
8 you know, feel free to tell me that and I'll try to
9 rephrase it so that you can understand it.

10 A. Okay.

11 Q. You understand those instructions?

12 A. I do, yes.

13 Q. Is there any reason today because of lack of
14 sleep or medication that you can't testify?

15 A. No.

16 Q. Okay. And are you represented by counsel today?

17 A. I am, yes.

18 Q. And who is that?

19 A. My counsel is Dwayne Goetzel, Nancy Wolff and
20 CeCe Cole.

21 Q. You've definitely lawyered up. All right. What
22 names have -- what pen names have you used over the
23 years?

24 A. I've written as Tracy Deebs, Tracy Wolff, Ivy
25 Adams and Tessa Adams.

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1 Q. I will refer to you most of the time throughout
2 this deposition as Tracy Wolff or Mrs. Wolff. Is that
3 understood?

4 A. Yes.

5 Q. Okay. And that's okay with you?

6 A. Yes.

7 Q. Is it correct that you used the pen name Tracy
8 Wolff when you wrote the Crave book series?

9 A. Yes, it is.

10 Q. Another thing I should mention is you have to
11 answer audibly because as good as the court reporter is,
12 and I'm sure she's excellent, she can't take down nods
13 of the heads or shaking of the heads.

14 A. Okay.

15 Q. So please answer audibly. What books are
16 currently in the Crave books series?

17 A. Are you asking in reference to what is in the
18 litigation or the total number of books in the Crave
19 series?

20 Q. No. Right now the total number of published
21 books in the Crave book series.

22 A. The total number of published books in the Crave
23 series is five.

24 Q. And what are the names of those books?

25 A. Crave, Crush, Covet, Court, Charm.

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1 **Q. Now, prior to being called Crush, was Crush
2 called crown?**

3 A. I believe it was.

4 **Q. Do you know when the name was changed?**

5 A. I don't recall an exact date, no.

6 **Q. Do you know why it was changed?**

7 A. I believe we wanted to go with each of the words
8 in the Crave series of the titles means something having
9 to do with love. Crush means having a crush on someone,
10 crown does not mean that.

11 I believe that was part of the reason. I don't
12 know everything else that went into it. Mrs. Pelletier
13 is in charge of that kind of a thing.

14 **Q. And who made the change? Do you know?**

15 A. Mrs. Pelletier would've been the one to make the
16 change.

17 **Q. And I hesitate to ask this, but what does court
18 have to do with love?**

19 A. If you court somebody.

20 **Q. Okay. I was looking at it the way that a lawyer
21 would look at the word court. All right. Now, when
22 were each of these five books that you mentioned
23 published?**

24 A. Crave was published April 2020. Crush was
25 published September 2020. Covet was published in 2021.

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1 Court was published February of 2022. And Charm was
2 published November, I believe.

3 MR. PASSIN: By the way, I want to ask the
4 court reporter a question. Are there anyone -- who is
5 attending by video? Do you know? Or the videographer,
6 I should ask you.

7 THE VIDEOGRAPHER: We have Tracy Wolff,
8 obviously. Our plaintiff, Lynne Freeman, Lance Koonce
9 and Zachary Press.

10 MR. PASSIN: Okay. I just thought that
11 should be on the record. Thank you.

12 THE VIDEOGRAPHER: Yes, sir.

13 MR. PASSIN: And obviously Tracy Wolff.
14 Tracy Wolff is the witness.

15 THE VIDEOGRAPHER: Right, which is attending
16 on the Zoom as well.

17 MR. PASSIN: I don't understand.

18 THE VIDEOGRAPHER: That web cam sitting in
19 front of the witness --

20 MR. PASSIN: Oh, I see.

21 THE VIDEOGRAPHER: -- brings Mrs. Wolff into
22 the Zoom.

23 MR. PASSIN: Okay.

24 THE VIDEOGRAPHER: Yes, sir, just for
25 clarity.

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1 MR. BAER: For the record, should I state my
2 name?

3 MR. PASSIN: I already said your name.

4 **Q. (By Mr. Passin) And who is the publisher of each**
5 **of the books in the Crave books series? And by the way**
6 **I'll refer to those books as the Crave books series. Is**
7 **that understood?**

8 A. Yes.

9 **Q. Okay. Who is the publisher of the books?**

10 A. The publisher is Entangled.

11 **Q. And who distributes the books?**

12 A. Macmillan.

13 **Q. Now, what did you do to prepare for your**
14 **deposition today?**

15 A. I read over some of the papers from the case that
16 had been filed with the court and I met with my lawyers
17 yesterday.

18 **Q. When you said you read some of the papers from**
19 **the case, did you pick those out yourself or did your**
20 **lawyers send those to you?**

21 MR. GOETZEL: Object to the form of the
22 question. You're getting into a privileged area here.

23 MR. PASSIN: Right, it's just -- I'm trying
24 to lay the foundation so that I won't. All I want to
25 know is did she get them herself or did the lawyer pick

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1 **one or two stop working?**

2 A. Every time I got a new one.

3 Q. **But did you recall approximately the year?**

4 A. Probably 2019, maybe early 2020.

5 Q. **But the two that -- the one or two that you no
6 longer have, you did use to write and edit the Crave
7 book series?**

8 A. Yes.

9 Q. **Did you use the computer at Austin Community
10 College for some of your early writing in the book,
11 Crave?**

12 A. It wouldn't have been at Austin Community College
13 because I was teaching early college start at local high
14 schools. So it was a college class to high school
15 students and I was in a local high school.

16 Q. **And did that local high school provide you access
17 to their computer?**

18 A. They did.

19 Q. **And did you use that computer to write any
20 portions of the Crave book?**

21 A. I don't remember, but it is not beyond the realm
22 of possibility. I --

23 Q. **And what was the name of the high school?**

24 A. Lake Travis High School was one of them. Round
25 Rock Early College Start.

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1 A. Some time in the last -- some time since COVID
2 started.

3 Q. What e-mail programs do you have on each one of
4 the computers, meaning Outlook or Gmail?

5 A. I don't use -- G mail.

6 Q. They're all Gmail?

7 A. Uh-huh.

8 MR. GOETZEL: Was that yes?

THE WITNESS: Yes.

10 Q. (By Mr. Passin) So is it fair to say that you use
11 your Gmail address more than any of the other addresses?

12 A. Yes, that is true.

13 Q. And then the other addresses, where are those?

14 On your phone?

15 A. No. They're not on my phone. Only my Gmail is
16 on my phone.

17 Q. So then how do you access the other addresses?

18 | By the web?

19 A. Yes. I only access -- the only other one I
20 access very occasionally is [REDACTED].

21 Q. And you access by going on the Internet and then
22 on the web?

A. Yes. I go to Yahoo.com.

24 Q. What kind of software did you use to write and
25 edit the books in the Crave book series?

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1 A. I used Microsoft Word; and occasionally, I used a
2 Google Doc.

3 **Q. Do you have an online subscription for any**
4 **editing software?**

5 A. I have an online subscription for Book Brush,
6 which helps me make ads for Instagram. Not ads. Like,
7 what goes on your Instagram.

8 **Q. Do you have a subscription for Microsoft Word?**

9 A. No.

10 **Q. Do you have a subscription for Google Docs?**

11 A. I pay \$1.99 a month for -- to keep my storage on
12 Google Docs. I don't know if that counts as an online
13 subscription.

14 **Q. All right. And you still have that storage?**

15 A. Yes.

16 **Q. Okay. And when you produced documents in the**
17 **case, did you provide access to that storage to the**
18 **vendors who are gathering the documents?**

19 A. I did, yes.

20 **Q. As a professor at a community college, have you**
21 **used turn it on -- excuse me -- Turnitin or any other**
22 **plagiarism software to review student's papers?**

23 A. Not at Austin Community College.

24 **Q. Did you at some other teaching facility?**

25 A. I did, yes.

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1 **Q. And where was that?**

2 A. Marian Catholic High School in San Diego.

3 **Q. And during what years were you there?**

4 A. I believe 2002 to 2005.

5 **Q. And what type of software did you use?**

6 A. Turnitin.com.

7 **Q. Any other kind?**

8 A. Microsoft Word to create my tests.

9 **Q. Okay. And what kind of information did Turnitin**
10 **provide to you if you ran the student's papers through**
11 **it?**

12 A. It would provide what percentage of the paper had
13 -- might've occurred somewhere else. I believe it's
14 been 17 years since I've used it.

15 **Q. Okay. Now, going back to Google Docs, did Google**
16 **Docs send you an e-mail every time someone made an edit**
17 **to any of the Crave books?**

18 A. The Crave books weren't on Google Docs.

19 **Q. So you didn't use Google Docs to edit the Crave**
20 **books?**

21 A. No, I did not.

22 **Q. None of the Crave books?**

23 A. The book?

24 **Q. The --**

25 A. No.

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1 **Q. Any of the books in the Crave book series.**

2 A. Not the book, no.

3 **Q. Well, what did you use the Google Docs for?**

4 A. I used them for chapter titles and a few random
5 scenes in Court and I don't -- I don't believe -- I
6 don't recall using them in Crave, Crush or Covet.

7 **Q. All right. But you did use it in Court.**

8 **Correct?**

9 A. Yes.

10 **Q. So you did use it for some of the books in the --**

11 A. Not to edit the book, Court, no.

12 **Q. What did you use it for?**

13 A. To write a couple of random scenes and for
14 chapter titles.

15 **Q. Did you use Google Docs to write any of the other
16 books in the Crave book series?**

17 A. Can you clarify in terms of this? I'm in the
18 understanding that in terms of this lawsuit we are
19 referring to Crave, Crush, Covet and Court --

20 **Q. Right.**

21 A. -- as the Crave book series.

22 **Q. Right now, I'm asking about all the books in
23 Crave book series.**

24 A. We used -- I used a couple for Cherish and I
25 don't recall if I used them for Charm, any for Charm.

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1 A. I don't recall.

2 Q. Do you know which documents Stacy Abrams had
3 access to?

4 A. I know she had access to the Crave chapter
5 titles. I believe she has access to the Crave Bible
6 because I believe she does. I'm not sure about other
7 ones.

8 Q. Okay. And when the vendor in this case gathered
9 documents, did you provide to him all the documents
10 relating to the Crave chapter titles that was on Google
11 books?

12 MR. GOETZEL: Objection. Google books?

13 MR. PASSIN: Excuse me, Google Docs, thank
14 you.

15 A. I tried. I couldn't because they weren't started
16 by me. I can't provide access if I don't start the doc.

17 Q. (By Mr. Passin) And did -- so of all the
18 documents you had on Google Docs, did you provide any of
19 those documents to the vendor?

20 A. If -- if -- he looked at all of the Google Docs.
21 My recollection is that none of them were started by me,
22 so he couldn't get them from me. But if there had been
23 any that I had started, he would have gotten them.

24 Q. And who started them?

25 A. Emily Sylvan Kim and I don't know if Stacy Abrams

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1 started any. Liz Pelletier, I believe, started one or
2 two.

3 Q. Are you aware, was there an access log to the
4 Google Docs?

5 A. I don't know what an access log is.

6 Q. Well, access log would be a listing that shows
7 who had accessed the Google Docs at any time. Did you
8 ever see anything like that?

9 A. No.

10 Q. And maybe because you're not the owner?

11 A. Yeah, I -- I don't know.

12 Q. Did you use any text spinning software to write
13 any of the books in the Crave book series?

14 A. I'm sorry. I don't understand the question.

15 Q. Are you familiar with text spinning software?

16 A. I have no idea what that is.

17 Q. Well, did you use any other kind of software --
18 did you use any kind of software to write or edit the
19 books in the Crave book series other than what we've
20 already discussed?

21 A. I used Microsoft Word.

22 Q. Did you use any artificial intelligent bots that
23 are able to reword sentences in writing any of the books
24 in the Crave book series?

25 A. I did not.

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1 A. I taught writing and literature.

2 Q. And then when you moved to Austin, you said you
3 took a year off and then you taught at Virginia College
4 and you taught composition and literature?

5 A. Yes.

6 Q. And you told me what you taught at Austin
7 Community College?

8 A. I also, in that time period, worked for a very
9 brief time at a learning center tutoring.

10 Q. And you tutored English I assume?

11 A. English and math.

12 Q. That's a big switch. All right. Let's go on
13 your second career path. You said in 2007 you wrote
14 your first -- you had your first book published?

15 A. 2007 is when my first novel was published.

16 Before that, I had a short story/novella published by
17 Spice, which was an imprint of Harlequin. And I believe
18 it came out February of 2007, but I am not positive.

19 Q. And what was that book called?

20 A. It was called No Apologies.

21 Q. Okay. You can continue.

22 A. 2007, I had my first book published by Harlequin.
23 In the beginning of 2008, I had my first single title
24 published by Penguin. The imprint was NAL and I believe
25 that stands for New American Library. After that, I've

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1 had numerous books published with Walker, a division of
2 Bloomsbury, with Harlequin Super Romance and Harlequin
3 Desire, with New American Library, with Entangled and
4 with Little, Brown, with ABDO Publishing and a short
5 story and an anthology published by Harper.

6 **Q. Approximately, how many books have you had
7 published?**

8 A. 69. I believe the one that I just wrote is 70.

9 **Q. All right. We'll probably get more into the
10 books a little later. Are you familiar with the
11 manuscript that Lynne Freeman wrote that is the subject
12 of this lawsuit?**

13 A. I am familiar with it now.

14 **Q. And how did you become familiar with it?**

15 A. I was served papers.

16 **Q. Referring -- well, you weren't served papers in
17 this case?**

18 A. Well --

19 **Q. Well, technically referring to the complaint?**

20 A. Yes, the complaint.

21 **Q. Okay. Or are you referring to the demand letter
22 that you got prior to the complaint?**

23 A. Whatever came the second week in February,
24 whatever that was is when I became aware of it.

25 **Q. Okay. That was probably the demand letter.**

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1 A. Okay.

2 Q. Okay. Have you ever heard the novel called **Blue**
3 **Moon Rising or Masked?**

4 A. I first heard of them on whatever day it was in
5 February when I was -- received the -- you call it a
6 demand letter?

7 Q. Yeah, just we can refer to it as the **February 7th**
8 **letter.**

9 A. February 7th letter.

10 Q. **February 7th, 2020.**

11 A. 2022.

12 MR. GOETZEL: 2020.

13 MR. PASSIN: 2020?

14 MR. GOETZEL: I believe --

15 MR. PASSIN: Yeah, 2020.

16 THE WITNESS: 2022.

17 MR. GOETZEL: You might want to check your
18 dates.

19 MR. PASSIN: Oh, 2022. Yeah, you're right.
20 2022. Okay. I apologize. COVID sort of -- yeah.

21 Q. (By Mr. Passin) Okay. So for the rest of the
22 deposition, I'll refer to the manuscript either as **Blue**
23 **Moon Rising or Masked.** Is that understood?

24 A. Yes.

25 Q. Okay. Did you ever read any part of **Blue Moon**

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1 **Rising or Masked?**

2 A. No.

3 Q. Why did you choose Alaska as the setting for the
4 Crave book series?

5 A. I think there were several reasons.

6 Q. And you were the one who chose Alaska?

7 A. I chose it, yes.

8 Q. And what were those several reasons?

9 A. The first reason was when I was writing a
10 snowboarding book many years ago, I watched a
11 documentary called The Art of Flight and there was a
12 line in it where they were walking in Alaskan wilderness
13 and they made the comment that they were walking where
14 no human being had ever stepped before, and it seemed to
15 me that that would be a good place to put paranormals.

16 The second reason is in the first ideas I gave
17 Stacy Cantor Abrams regarding what would become the
18 Crave series, one of the ideas was vampires set in
19 Alaska. And I believe -- I don't know specifically what
20 made me choose that except for The Art of Flight
21 documentary and the fact that Alaska tends to be dreary
22 and have civil twilight and be dark.

23 I do know that one of my favorite vampire novels
24 ever was in Alaska. It's -- and I always thought that
25 was a very cool setting for vampires.

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1 Q. And which novel was that?

2 A. Dancing in the dark by Sherrilyn Kenyon.

3 Q. Okay. I didn't mean to cut you off there. Are
4 there other reasons?

5 A. Other reasons is when I was brainstorming, I
6 really wanted a fish out of water story. It's one of --
7 well, Liz really wanted a fish out of water story and I
8 thought that was a really great idea. And being from
9 San Diego, the thing -- like, I tried to imagine where
10 in North America I would feel most uncomfortable. And
11 Alaska came to mind.

12 When I was brainstorming, it was one of the
13 places I had listed and then when I was brainstorming
14 with Emily Sylvan Kim, we were talking over cold and
15 dark places in North America and she reminded me -- I
16 believe it was she reminded me of Alaska, that I had put
17 it -- you know, that I had mentioned it. And I thought
18 about it and decided that was a really great place.

19 And then when I went and talked to Liz about it,
20 Liz had just come back on a cruise from Alaska and she
21 was very excited about Alaska as well because she had
22 just been on the cruise. And it just seemed like
23 overall, all those things came together and seemed like
24 a great place to set the book.

25 Q. All right. Well, you had mentioned that Alaska

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1 **getting your approval?**

2 A. Liz Pelletier has made several changes to the
3 books, not Crave.

4 **Q. Which books did Liz Pelletier make changes to?**

5 A. And she got my approval when she made them. She
6 made changes to Crush, to Covet and to Court, as any
7 editor does.

8 **Q. And she was a content editor. Correct?**

9 A. She was a content editor.

10 **Q. And you said that on Crush, Covet and Court, she
11 got permission to make all your -- her changes? She got
12 permission from you?**

13 A. If she made a change that was any kind of
14 substance, certainly she would call me and read it to
15 me.

16 **Q. How many substantive changes did she make to
17 Crush?**

18 A. I don't know off the top of my head.

19 **Q. Can you give me an estimate?**

20 A. I don't -- I don't want to do that. I don't know
21 off the top of my head. It should be in the documents.

22 **Q. In the documents? Which documents are those?**

23 A. Anything that was provided to you from, I
24 would...

25 **Q. Well, we don't have the Google documents. Would**

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1 to?

2 A. I am not.

3 Q. Who is Emily Kim?

4 A. Emily Sylvan Kim is my agent.

5 Q. And when did you first meet Emily Kim?

6 A. I first met Emily Sylvan Kim at an RWA conference
7 before she represented me. So prior to 2006, I believe.

8 Q. And what does RWA stand for?

9 A. It stands for Romance Writers of America.

10 Q. And where did that one take place?

11 A. I don't know.

12 Q. And how did you meet her at the conference?

13 A. She was on a panel. I went to her panel. After
14 her panel, I walked up and I introduced myself to her
15 and told her I had sent her some material to read and
16 that I hoped to work with her one day or something of
17 that gist. Those may not have been my exact words.

18 Q. And when did she become your literary agent?

19 A. I believe it was 2006.

20 Q. Did you have a different literary agent before
21 Emily Sylvan Kim?

22 A. I did not.

23 Q. And why did you choose Emily Sylvan Kim?

24 A. There were various reasons.

25 Q. And what were those reasons?

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1 A. The first reason was she had interned or trained
2 at Writers House, which was at the time the most
3 prestigious or certainly one of the most prestigious
4 literary agencies in America and I liked that she had
5 had that training and those connections.

6 Two, I liked that she had started her own agency
7 and that she was young and wanting to build her business
8 the way that I wanted to build my career. And three, I
9 remember really liking her website at the time. It had
10 little poetry quotes on it and I liked it. I thought
11 that was cool.

12 Q. When you refer to starting her own business, that
13 was Prospect Agency?

14 A. I believe so, yes.

15 Q. Were you friends with Mrs. Kim before you became
16 -- before she became your agent?

17 A. I was not.

18 Q. Let me mark for identification as Exhibit 24 a
19 document that is Bates-stamped Number Kim 00352674
20 through Kim 00352676, and it's entitled Agreement for
21 Authors.

22 (Exhibit Number 24 was marked.)

23 Q. (By Mr. Passin) Can you please take a look at the
24 exhibit?

25 A. (Witness complies.)

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1 **Q. Now, on --**

2 MR. GOETZEL: Excuse me, Mark, I think you
3 gave several different copies to her.

4 MR. PASSIN: Yeah, I knew I had extra
5 copies.

6 **Q. (By Mr. Passin) So is that your signature on Page**

7 **3 --**

8 A. It is, yes.

9 **Q. -- on behalf of yourself?**

10 A. Yes.

11 **Q. And you entered into this agreement on or about**
12 **November 25, 2007?**

13 A. I suppose it was 2007 and not 2006.

14 **Q. Do you know when this agreement became effective?**

15 A. I would believe when she received it back from
16 me.

17 **Q. And can you describe for me briefly what this**
18 **agreement is, your understanding of what the agreement**
19 **is?**

20 A. My understanding is that she agrees to be my
21 literary agent and represent me, represent me in
22 discussions with literary publishers.

23 **Q. And what's your understanding of what Mrs. Kim**
24 **was supposed to do as your literary agent?**

25 A. Mrs. Kim was supposed to negotiate contracts for

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1 me and submit my work to publishers and explain
2 contracts to me.

3 Q. Does she sometimes edit manuscripts for you?

4 A. No, she does not edit manuscripts for me.

5 Q. Does she get involved in editing manuscripts?

6 A. Editing --

7 MR. GOETZEL: Object to the form. Are you
8 talking about specifically with her or for anyone?

9 Q. (By Mr. Passin) For you.

10 A. Editing manuscripts?

11 Q. Yes.

12 A. Can you clarify?

13 Q. Well, isn't it true that Emily Kim made changes
14 to various books in the Crave book series?

15 A. I don't believe that's true, no.

16 Q. It's true she wrote some chapter titles. Isn't
17 it?

18 A. She did.

19 Q. Okay. What else did she do in connection with
20 the Crave book series?

21 A. She always read the books, and I believe if she
22 saw any proofreading errors or typos, she would let
23 Stacy or Liz know about them.

24 Q. Did she make any story line suggestions?

25 A. Story line suggestions? Not to the best of my

Confidential**Tracy Wolff****Freeman vs.
Deebs**

1 recollection.

2 Q. Did she make any content edits?

3 A. Edits?

4 Q. Yes.

5 A. No, not that I'm aware of.

6 Q. Does she sometimes help you write any books?

7 A. She does not help me write books.

8 Q. Were there any amendments to the agreement which
9 we've marked as Exhibit 24?

10 A. Not that I am aware of.

11 Q. And was this the first agency agreement you
12 entered into with Mrs. Kim and Prospect?

13 A. It is, yes.

14 Q. And is it the only agency agreement you entered
15 into with Mrs. Kim and Prospect?

16 A. It is, yes.

17 Q. Do you have any other agreements with either Mrs.
18 Kim or Prospect relating to Crave or any of the books in
19 the Crave book series?

20 A. I do not, no.

21 Q. Did you pay any money to Emily Kim or Prospect in
22 connection with the books in the Crave book series or
23 any other books other than what Prospect is paid
24 pursuant to Exhibit 24?

25 MR. GOETZEL: Object to the form of the

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1 remember all 69?

2 MR. GOETZEL: If you have a list of all the
3 books that you've written and published, I don't have an
4 objection to providing the list.

5 A. I can provide you with a list.

6 Q. (By Mr. Passin) Okay, thank you.

7 A. Where would I provide it?

8 Q. If they have dates --

9 THE WITNESS: I would give it to you.

10 MR. GOETZEL: Give it to me.

11 Q. (By Mr. Passin) If they have dates of publication
12 on, that would be helpful and publisher, that's it.

13 A. Okay. I don't know. I can give you titles.

14 MR. GOETZEL: Generally speaking, we don't
15 have to create something. If you have a list.

16 MRS. WOLFF: Yeah, just take it under
17 advisement. Yeah.

18 THE WITNESS: Okay. Okay.

19 Q. (By Mr. Passin) Were any -- so is it correct to
20 say that what? There are about 68 or 69 books? How
21 many books when you take out the first book that she
22 wasn't involved with?

23 A. I feel like that is about right, yes.

24 Q. Okay. Were any of those books, other than the
25 books in the Crave book series, on the New York Times

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1 **best seller list?**

2 A. Yes.

3 Q. **How many of them?**

4 A. Two were on the New York Times best seller list.

5 Q. **And what books were those?**

6 A. Ethan Frost, Ruined and Addicted.

7 Q. **Ethan Frost?**

8 A. It wasn't actually named Ethan Frost. That was
9 the name of the series, the Ethan Frost series. Book
10 one was Ruined. Book two was Addicted.

11 Q. **And they were both part of the Ethan Frost
12 series?**

13 A. Yes.

14 Q. **And when were those published?**

15 A. 2014 or 2015.

16 Q. **Of those 68 or 69 books, would you characterize
17 any of them as financially successful?**

18 A. I actually need to change something based on this
19 date, November 2007. I was off by a year then. My
20 first book came out the end of 2008 and my next one came
21 out the beginning of 2009.

22 Q. **So in other words --**

23 A. I was off by a year all the way across.

24 Q. **So in other words, all the books were covered by
25 Exhibit 24?**

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Deebs**

1 A. No, no, because I sold the first book on my own.

2 Q. Okay. So what are you correcting on this?

3 A. I'm correcting -- I told you earlier on the
4 record that my first book came out in the end of 2007
5 and my second book came out at the beginning of 2008.
6 That -- I must -- I am off a year.

7 My first book came out at the end of 2008 and my
8 first book -- and my second book came out the beginning
9 of 2009. The first book that came out in 2008, I sold
10 to Harlequin by myself.

11 Q. So did you specifically exclude it from this
12 agreement because the agreement's dated in 2007?

13 A. It was not -- it would have already been excluded
14 because I had already signed the contract. The contract
15 was signed many months, maybe a year before this.

16 Q. Okay. So going back to where we left off, we
17 were discussing the 68 or 69 books. Would you
18 characterize any of them as financially successful?

19 A. Yes.

20 Q. How many of them?

21 A. Several.

22 Q. And which books were those?

23 A. Can you define financially successful to me?

24 Q. Well, made a substantial amount of money.

25 A. What is a substantial amount of money?

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1 answered.

2 MR. GOETZEL: Same objection.

3 A. I was worried she was very sad after the death of
4 her father.

5 MR. PASSIN: Can you mark that question,
6 please, and answer? Thank you.

7 Q. (By Mr. Passin) Is it fair to say that Mrs. Emily
8 Kim was involved in editing the books in the Crave book
9 series?

10 A. No, it is not fair to say she was involved in
11 editing the books.

12 Q. Well, didn't Emily Kim also make contributions to
13 the story line in the Crave book series?

14 A. She did not make contributions to the story line
15 in the Crave book series.

16 Q. Isn't it accurate to say that Emily Kim
17 contributed to the writing of the Crave book series?

18 A. She did not contribute to the writing of the
19 Crave book series. She did not write.

20 Q. Well, how would you describe Emily Kim's
21 contributions to the Crave book series?

22 A. Emily is an amazing cheerleader.

23 Q. Meaning that all she did is acted as a
24 cheerleader in connection with the Crave book series?

25 A. She kept a document and made suggestions for

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1 chapter titles, some of which I took, most of which I
2 did not. But she kept, like, the summary of what
3 happened in that chapter so that when I went to do the
4 chapter titles...

5 **Q. Did she write the series Bible?**

6 A. I believe she contributed to the -- yeah. I
7 believe she started and did some of the series Bible,
8 yes. I don't believe she did all of it, but the series
9 Bible is not story lines. The series Bible is what is
10 already written.

11 **Q. But isn't it fair to say that she was more**
12 **involved in the creation of the Crave book series than**
13 **acting as a cheerleader?**

14 A. No. I don't think that's fair to say.

15 Q. You just said she wrote some of the chapter
16 titles, you just said she wrote the series Bible. Is
17 that acting as a cheerleader or is that more involved?

18 A. The series Bible is not about the creation of the
19 series. The series Bible took place after the book was
20 written --

21 Q. What about the chapter --

22 A. -- so that is not about the creation.

23 Q. What about the chapter titles?

24 A. The chapter titles are titles of chapters, but
25 the chapters were not written by Emily Sylvan Kim.

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Deebs**

1 **Q. But the chapter titles were?**

2 MR. GOETZEL: Object to the form of the
3 question. You're mischaracterizing her testimony.

4 A. I said that she made suggestions on chapter
5 titles, some of which I took, most of which I did not.
6 And that did not happen even until Covet.

7 **Q. (By Mr. Passin) Which chapter titles in the Crave
8 book series did you write?**

9 A. All of -- all of the ones in Crave. My son
10 suggested a few with me. We would talk about it at
11 dinner. Crush, I believe Elizabeth Pelletier made
12 several suggestions in Crush. I also do not think I
13 took them. Emily Sylvan Kim started, I believe, making
14 suggestions in Covet, not for all of them, not even for
15 close to all of them in Covet.

16 And she began keeping a document in Court where
17 she would list the summary of what was going on in each
18 chapter. And sometimes, I do not know if it was in all
19 of them she made suggestions. I think sometimes she
20 would be, like, you know, some phrase or something.
21 Again, most of them would be to jog me and make me think
22 of something else that I thought was funny.

23 I'm actually very possessive of the chapter
24 titles and I want them to be as perfect as I can make
25 them. So like I said, my children have made

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1 suggestions, my partner has made suggestions, Liz has
2 made suggestions, Emily has made suggestions. Some of
3 my friends have made suggestions, but I choose them in
4 the end.

5 Q. All right. Now, you mentioned a couple of
6 minutes ago a document that Emily Sylvan Kim wrote. Is
7 that the Bible or is that another document?

8 A. Can you clarify? I don't know what document
9 you're referring to.

10 Q. Well, a couple of minutes ago you said that Mrs.
11 Kim wrote some document that, let's see, what was going
12 on in each of the chapters?

13 A. That is the chapter title document.

14 Q. Okay. So she wrote the chapter title document
15 and she also wrote a Bible?

16 A. She wrote a summary, a one to -- one-line summary
17 of what happened in the chapters that I wrote because
18 sometimes in editing, Liz would break the chapters
19 differently. So if I had a chapter that was too long,
20 maybe Liz would break that up.

21 Q. Okay. Then you mentioned something about Emily
22 Kim would remind you about something that was funny for
23 chapter titles. Did you try and make your chapter
24 titles funny?

25 A. Yes, I did try to make my chapter titles funny.

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Deebs

1 Q. Did -- were your chapter titles structured sort
2 of as innuendos or comments about certain things?

3 A. I wouldn't call them innuendos.

4 Q. What was the purpose -- what did you try in
5 achieve in a chapter title?

6 A. To get a laugh and set the tone of what the
7 chapter was. So if a chapter was very somber, it would
8 not have a funny title.

9 Q. Did you write a synopsis for each book in the
10 Crave book series?

11 A. I did not.

12 Q. Did someone else?

13 A. For each book? No.

14 Q. For some of the books?

15 A. Some of the books, there are synopses for.

16 Q. Which books?

17 A. I believe I wrote something for Crave. Crush, I
18 wrote the first half of the synopsis. I believe Liz
19 Pelletier wrote the second half. Covet, Liz Pelletier
20 wrote the synopsis. Court, the synopsis was more
21 nebulous in Court.

22 Q. First of all, describe for me what a synopsis is.

23 A. A synopsis is the basic plot plan for the book.

24 Q. And when you say that Liz Pelletier wrote the
25 second half of the synopsis for Crush, was it based on

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Deebs

1 **your plot plan for the book or hers?**

2 A. Brainstorming and also a dream she had.

3 **Q. What was the dream she had?**

4 A. She dreamt about one of the heroes walking over a
5 cliff and trees exploding around him.

6 **Q. And when did she tell you about that dream?**

7 A. On a phone call, an early morning phone call.

8 **Q. Excuse me?**

9 A. An early morning phone call. I don't know what
10 day. I couldn't tell you.

11 **Q. Well, how far along in the process of writing the
12 Crave book series?**

13 A. It was while we were writing Crush.

14 **Q. And then on Court, you said Liz Pelletier wrote
15 the synopsis?**

16 A. I said the synopsis was nebulous on Court.

17 **Q. I'm sorry, Covet. I meant Covet. I'm sorry.**

18 A. Yes, Liz Pelletier wrote the synopsis on Covet.

19 **Q. And was that based on her idea for the story line
20 or a combination or brainstorming or what?**

21 A. I believe it was based on brainstorming.

22 **Q. Okay. When you say brainstorming on both Crush
23 and Covet, but I take it it was all based on a
24 continuation of Crave, the book Crave?**

25 A. It's a series, so it progresses from Crave.

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Deebs

1 Q. So it has its limit -- it was limited by Crave?

2 MR. GOETZEL: Object to the --

3 A. Can you define limited?

4 Q. (By Mr. Passin) Well, it had to follow in the
5 sequence of Crave, it had to be a follow up to Crave?

6 In other words, it would involve the same characters, et
7 cetera?

8 A. Yes, it does involve the same characters with
9 some new additional characters.

10 Q. And when you say the synopsis for Court was
11 nebulous, was there any synopsis at all?

12 A. I believe there was some, yes. I do not believe
13 it was a cohesive document the same way.

14 Q. And who wrote it?

15 A. Liz, I believe.

16 Q. And was that based on brainstorming?

17 A. Yes.

18 Q. Is that common for --

19 A. And --

20 Q. Go ahead.

21 A. And some of her ideas that she had had in maybe a
22 dream, yeah.

23 Q. The same dream we talked about before?

24 A. I don't believe so, no.

25 Q. What other dreams?

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Deebs**

1 A. I -- Liz -- I tend -- I can't say everything
2 about Liz's dreams. I don't know. I know that she's
3 had a couple.

4 **Q. Well, did she communicate them to you?**

5 A. I'm not sure. I know Covet. I remember the
6 dream from Covet very clearly. Court, I'm not sure.

7 **Q. Now, is it usual for a content editor to write a
8 synopsis?**

9 A. That would depend on the project.

10 **Q. Explain that to me.**

11 A. Some projects -- if a project is conceived of by
12 an editor or a publisher, they tend to have much more
13 say in, like, the synopsis than if a project is
14 conceived of solely by a writer.

15 **Q. Well, who conceived of Crave?**

16 A. Liz -- Stacy Cantor Abrams and I spoke because
17 they had a book fall through. And by fall through, I
18 mean a writer would not be able to write the book that
19 they were contracted to write.

20 When that happens for a publisher, it creates an
21 opening in the line that needs to be filled. It is my
22 understanding that that happened with Entangled and
23 Stacy told me -- asked me if I would be interested in
24 writing a book quickly for the Entangled team line.

25 **Q. And did she tell you what that book was about?**

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1 A. She told me something -- I don't remember the
2 exact words, something paranormal. And I wrote up five
3 ideas in response to that and sent them to Stacy.

4 **Q. So is that all she told you? Something
5 paranormal?**

6 A. I don't remember exactly.

7 **Q. Didn't she tell you exactly, it was an ordinary
8 girl in a super rarified world?**

9 A. I don't think she told me that before. I believe
10 the first time we spoke was on the phone.

11 **Q. And what'd she tell you on that phone
12 conversation?**

13 A. She told me that they had had a book fall through
14 in the line and that she was wondering if I would be
15 interested and if I had room in my writing schedule to
16 write a book quickly for Entangled team, that it needed
17 -- that it should be paranormal.

18 I do not remember if she mentioned vampires
19 specifically on that phone call or not.

20 **Q. Do you remember anything else about that phone
21 call?**

22 A. We spoke several times and it was several years
23 ago, so I do remember a couple of other things, but I am
24 not sure it was from that phone call or a subsequent
25 phone call.

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Deebs**

1 **Q. Was the subsequent phone call before you sent
2 them the five ideas?**

3 A. I don't recall if it was before or directly
4 after. I don't recall. I'm sorry. I don't.

5 **Q. What do you specifically remember from that phone
6 call?**

7 A. I remember her saying that Liz had read some
8 articles and that she was excited about bringing
9 vampires back.

10 **Q. Anything else?**

11 A. I remember her saying that when they were talking
12 about someone that they knew who could write quickly, I
13 came to mind because I had just signed another contract
14 with Entangled for the first time in several years. I
15 signed a contract with them, to be clear, before the
16 Crave series contract.

17 **Q. And what book was that?**

18 A. That was a book that never came out. I do not
19 remember the exact title of it. It was an adult
20 rom-com. Rom-com, meaning romantic comedy.

21 **Q. How long did it take you to write each book in
22 the Crave book series?**

23 A. I feel like that differs. Crave, I believe took
24 a couple of months. And then more writing during the
25 editing process. Crush took, I believe, a couple of

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1 months as well. Maybe three, I don't know. Somewhere
2 between two and three. I feel like most of them did.
3 Court took longer, but it was the longest book.

4 **Q. And what about Covet? I think we skipped Covet**
5 **unless I missed it.**

6 A. Yeah, I think approximately the same amount of
7 time. That seems about right.

8 **Q. And is it fair to say --**

9 A. Two to three months.

10 Q. -- that you write -- you can write a book faster
11 than most authors write?

12 A. I don't think -- I don't know how fast other
13 authors can write a book. So I don't think that is a
14 question I can answer.

15 Q. But you seem to have a reputation for being able
16 to write books quickly. Is that correct?

17 A. I do believe that I can -- I can write books
18 quickly, yes.

19 Q. When did you start and when did you finish
20 writing each one of the books in the Crave book series?
21 And then you can limit it to the four that are the
22 subject of this litigation.

23 A. I honestly cannot give you exact dates. I
24 believe with Crave, they contacted me in late April, so
25 I believe I probably started writing in May. I believe

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1 it took a couple of months. I know that it didn't get
2 edited until December, I believe. I think it was -- it
3 was November or December. It was -- it was in the
4 wintertime and that required more writing as well.

5 Crush, I believe was a couple of months. I
6 believe I was -- I don't know when exactly. I do
7 believe I was writing it in June, and I only remember
8 that because my dog died. Covet was over Thanksgiving,
9 so some time in the Fall. Court, Court was Summer, and
10 I remember that because my partner got COVID in August
11 when I was writing Court. And those are the four books.

12 **Q. Is it fair to say that Crave is the most
13 commercially successful book you've ever written?**

14 A. I believe that's fair to say, yes.

15 **Q. How many copies of Crave in all formats have you
16 sold?**

17 A. I have no idea.

18 **Q. Is it fair to say that you sold more copies of
19 Crave in all formats than you've ever sold of any other
20 book?**

21 A. I believe that's fair.

22 **Q. Okay. Other than any of the books in the Crave
23 book series, what was the greatest number of copies in
24 all the formats of any other book that you sold?**

25 A. I have no idea.

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1 **Q. Do you know what the name of the book would be**
2 **that was your second most --**

3 A. I would assume it was probably the Ethan Frost
4 series and the Shaken Dirty series. The Ethan Frost hit
5 New York Times and Shaken Dirty hit USA Today.

6 **Q. How did you come up with the names Grace and**
7 **Jaxon for the Crave book series?**

8 A. Grace came to me. Sometimes characters do that,
9 they come into my head, talking to me fully formed and
10 she did. I was laying in bed and I was trying to sleep
11 and she just started talking in my head and right away,
12 I knew her name was Grace.

13 **Q. And when that happens, do you jump out of bed and**
14 **take notes?**

15 A. No. I should, but I don't.

16 **Q. You're lucky.**

17 A. I remind myself. I go over and over it in my
18 head and tell myself to remember in the morning.
19 Sometimes I do, sometimes I don't.

20 **Q. And was she pretty much fully formed in those**
21 **thoughts?**

22 A. She had her voice where she was, you know, a
23 little funny. I had a picture of what she looked like.
24 Like I said, I knew her name was Grace. I did not know
25 she was a gargoyle at that point. Jaxon, I got his name

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1 the way I get -- I believe what I did for Jaxon was I
2 Googled whatever year he would've been born, if he was
3 17 and not 100, and Googled the most popular names. You
4 can do that, like, U.S. Census or Social Security has a
5 list that comes up very often, and you can just go
6 through.

7 And I tend to go through and pick names that I
8 like that were popular in the years that my characters
9 were born.

10 **Q. And how did you create his character traits?**

11 A. Well, he was a vampire, so I assumed he would be
12 dark and broody. Liz Pelletier suggested the scar on
13 his face and the rest, I mean, I just kind of figured
14 out around him. Like, why she had -- I believe it was
15 Liz who made a comment, it might've been Stacy, I don't
16 remember, it might've been -- about how he needed to be
17 -- like, there needed -- or maybe I made the comment.

18 I don't -- the problem with writing a
19 contemporary story is if two people want to be together,
20 they are together. So you have to come up with reasons
21 for them to be apart besides -- and I didn't want it to
22 just be -- and I don't think Liz wanted it to just be,
23 oh, he might kill her. Like, that's not a good enough
24 conflict.

25 And so then I started thinking about what

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1 conflict, internal conflict, and external conflict, I
2 could put between these two characters that would keep
3 them apart.

4 **Q. And who are the other main characters in Crave?**

5 A. I believe Grace, Jaxon and Hudson are the three
6 main characters.

7 **Q. All right. And how did you conceive of Hudson?**

8 A. When I write characters, they usually come to --
9 besides like when I'm first starting, when I'm really
10 thinking, okay, I need to lay out a romantic conflict, I
11 need to lay out a setting, I need to lay out some kind
12 of plot.

13 As I move along in a book or in a series, the
14 characters tend to come to me when I need them. So
15 Hudson, when I got to the ice cave, and I was writing
16 the ice cave with the Bloodletter and Grace and Jaxon,
17 Hudson needed to show up. And all of a sudden, he
18 showed up leaning an elbow, like super sarcastic. And I
19 was, like, There you are. Okay. Because I found that
20 for me if I spend too much time, like, trying to put
21 them on paper, like, how they're -- like I said, Grace
22 came to me just talking in my head.

23 But if I spend too much time trying to really lay
24 it out, like oh, this person's going to be snarky and
25 this person's going to be angry or whatever, it tends to

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1 not feel natural in dialogue. So I've learned to just
2 trust my process and that the character will show up
3 when I need them and Hudson did.

4 **Q. And then how did you decide that Grace should
5 become a gargoyle?**

6 A. I think my subconscious always knew because I
7 wrote in to Crave that her stomach sank like a stone or
8 that she went as still as a statue or that she froze.
9 And that was in several places because I wasn't sure
10 which she was. Like, witch seemed too easy. I didn't
11 want her to be a witch, I didn't want her to be a
12 dragon, I didn't want her to be a vampire and I didn't
13 want her to be a werewolf, so they couldn't be any of
14 those four things.

15 So I knew she needed to be something different
16 and I didn't really know what it was until -- I think I
17 brainstormed with my kids several times. My youngest
18 son was pulling for Windigo because he loves them and I
19 did not want her to be a flesh-eating monster. So I
20 brainstormed with my youngest, my kids who are big into
21 fantasy and lore all of that, Dungeons & Dragons.

22 I brainstormed with myself, I brainstormed with
23 Liz, and I think it was in a brainstorming with Liz that
24 gargoyle first came up.

25 **Q. And then how did you come up with the Bloodletter**

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1 | character?

2 A. That was in the editing process of Crave. Liz
3 told me she wanted a character that sounded really scary
4 but was very sweet. No, that sounded scary but when you
5 looked at her, she looked sweet. Like, she thought, I
6 just want her to be a dichotomy, right? Like, you don't
7 expect it, but also that she really is scary. And I
8 believe in that, she said she needs to have a scary name
9 like Bloodletter or something.

10 And I thought that was a really cool name. So I
11 wrote the scene, it was an epilogue or it was a bonus
12 scene, epilogue or bonus scene to Crave and I kept the
13 name Bloodletter because I thought it sounded like a
14 cool name. And I figured she would tell me if she
15 wanted me to change it. Do you mind if we take a break?
16 I need to use the restroom.

17 Q. That's fine.

18 THE VIDEOGRAPHER: We're off the record at
19 10:53 a.m.

20 (Brief recess.)

21 THE VIDEOGRAPHER: This is Media 3. We're
22 on the record at 11:05 a.m.

23 DIRECT EXAMINATION (cont'd.)

24 BY MR. PASSIN:

25 Q. Have you ever referred to a Windigo in any book

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1 **the Tempest series, you would not have gotten the Crave**
2 **series?**

3 A. I don't know if that is true or not because I've
4 done several other books with her.

5 Q. Fair enough. Is it fair to say that Stacy Abrams
6 did make some contributions to the story line of the
7 Crave book series?

8 A. I don't -- I don't believe she did.

9 Q. Have you ever met Lynne Freeman?

10 A. I have no recollection of meeting Lynne Freeman.

11 Q. When did you first hear or see her name?

12 A. On the document you told me to refer to as the
13 February 2022 document.

14 Q. Okay. Did you attend the Romance Writers of
15 America conference in Anaheim, California in July of
16 2012?

17 A. I believe I did.

18 Q. Do you remember meeting Lynne Freeman while in
19 Anaheim for the conference?

20 A. I do not remember -- recollect meeting Lynne
21 Freeman.

22 Q. Do you remember Emily Kim introducing you to
23 Lynne Freeman outside the hotel you were staying while
24 attending the conference?

25 A. I don't remember that, no.

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Freeman vs. Deebs

1 Q. When you say you don't remember, is it possible
2 that you met her, you just don't remember?

3 A. I don't know if it's possible or not. I don't
4 remember meeting her.

5 Q. Okay. Did you give a lecture at the conference
6 in 2012 on erotic language in books?

7 A. I did not.

8 Q. Did you give a conference at that -- did you give
9 a lecture at that conference?

10 A. I did give a lecture at that conference.

11 Q. And what was the subject?

12 A. It was on sexual -- seven steps to sizzling
13 sexual tension and how to use that in everything from YA
14 through erotica.

15 Q. Do you remember on the morning that you gave the
16 lecture riding from your hotel to the conference in
17 Emily Kim's rental vehicle?

18 A. I stayed at the conference hotel. I always stay
19 at the conference hotel.

20 MR. PASSIN: Can you read the question back,
21 please?

22 (Previous question read back.)

23 A. I would not have been riding in any car because I
24 would've been at the hotel already because I would've
25 stayed there.

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Deebs**

1 Q. (By Mr. Passin) Yeha, but do you remember the
2 morning you gave the lecture riding from your hotel to
3 the conference -- oh, I see you're saying the conference
4 is at the hotel?

5 A. Is at the hotel.

6 Q. Okay.

7 A. And I would not be in any vehicle.

8 Q. Okay, all right. Do you remember that during the
9 ride Lynne Freeman -- okay. Strike that.

10 Do you remember riding in Emily Kim's rental
11 vehicle with other clients of Mrs. Kim, including Lynne
12 Freeman?

13 A. Emily Sylvan Kim has never rented a vehicle that
14 I've ridden in.

15 Q. Who is the owner of Entangled?

16 A. Liz Pelletier owns the majority. I do not know
17 all of the other owners.

18 Q. When did you meet Liz Pelletier?

19 A. I met Liz Pelletier at an RWA conference. I do
20 not remember which one.

21 Q. Under -- well, what were the circumstances that
22 you met her at the conference?

23 A. I was walking through the bar and a number of
24 Entangled authors and Entangled employees were sitting
25 there. I saw Stacy Abrams, I said hello. She

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Deebs

1 Q. And then please look at the last two pages of
2 this document. Is that a certification that certifies
3 that the electronic signature we just looked at is your
4 electronic signature?

5 A. Yes. It says, Signature Certificate.

6 Q. You can put that document down. Do you plan for
7 there to be any more books in the Crave series other
8 than Crave, Crush, Covet, Court, Charm and Cherish?

9 A. I do not.

10 Q. Now, the agreements in the addendum, addenda,
11 that we just went over, did you use a lawyer to
12 negotiate them or does your -- or did your agent
13 negotiate them?

14 A. My agent negotiated them. I do not know if she
15 used an attorney as well.

16 Q. Well, let me ask you this. On your answers to
17 interrogatories where you listed expenses, you had some
18 legal fees charged. Do you know what lawyer that was
19 to?

20 A. It was to LegalZoom.

21 Q. And what do you use, in general, I don't want to
22 get into any details, but what do you use LegalZoom for?

23 A. My partner helped me set up an LLC through
24 LegalZoom.

25 Q. Okay. And other than that, do you use a lawyer

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Deebs**

1 even if it's something you might be interested in. But
2 the dynamic is exactly what Liz is looking for; ordinary
3 girl in a super rarified world, hence the huge worldwide
4 response to it. I can't wait to hear what you think.

5 So my questions are, do you notice it says in the
6 first paragraph that, I'm so excited that you thought of
7 me for this and in the penultimate paragraph that the
8 dynamic is exactly what Liz is looking for, ordinary
9 girl in super rarified world.

10 Based on the foregoing, is it accurate to say
11 that prior to April 26th, 2019, Stacy Abrams
12 communicated to you that Entangled wanted to hire you to
13 write a book about an ordinary girl in a super rarified
14 world?

15 A. It is accurate to say that Stacy Abrams and I
16 spoke on the phone about the project that would become
17 the Crave series. I do not know if she used those words
18 or if I took something that she said and put them into
19 those words. That, I do not know.

20 Q. Well, tell me specifically what you recall was
21 said in that conversation.

22 A. I mentioned earlier this very same conversation.
23 And Stacy and I spoke by phone. She explained to me
24 that a book that they had planned had fallen through,
25 and by fallen through it meant that for some reason the

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1 author was unable to write the book. This left a hole
2 in Entangled's schedule and she and Liz were speaking
3 about what they could fill the hole with. And at some
4 point, they decided they wanted a paranormal romance.

5 Q. All right. Now, didn't -- she must have said
6 something similar to, ordinary girl in a super rarified
7 world, don't you agree, or you wouldn't have written it
8 in this e-mail?

9 A. I think that all paranormal romances are either a
10 girl or a boy who is ordinary and who has fallen into a
11 super rarified world. If not all, then a large
12 majority. I cannot speak for all because I have not
13 read all.

14 Q. So you think that the phrase "ordinary girl in a
15 super rarified world" is basically the same thing as
16 saying a young adult paranormal novel?

17 A. I think that it is saying that a large percentage
18 of young adult paranormal novels, and to a certain
19 extent adult paranormal novels, involve a super rarified
20 world, a world that not many people know about. And
21 it's usually the thing that shakes up, the inciting
22 incident as we refer to in writing, is that somebody or
23 something comes in to this world and changes it.

24 And that, in some way or another, encompasses --
25 again, I cannot speak to all because I have not read

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Deebs**

1 the form. You mischaracterized or misstated what's
2 written here.

3 **Q. (By Mr. Passin) That was in two weeks?**

4 MR. GOETZEL: Getting the first three
5 chapters is always my hardest hurdle and I spent a week
6 on that?

7 MR. PASSIN: A week, I'm sorry.

8 **Q. (By Mr. Passin) Is one week a long or short time
9 to do the first three chapters?**

10 A. For me, usually a short time, the first, I don't
11 know, about the first ten chapters are always my
12 hardest.

13 **Q. Did you meet the deadline for the book?**

14 A. I don't remember.

15 **Q. How long does it typically take for you to write
16 a book? I realize it depends on the length of the book.**

17 A. It depends on the length of the book and what it
18 is.

19 **Q. But what about a book like the Crave book series
20 that's 500-600 pages?**

21 A. I would say two to three months.

22 **Q. Okay.**

23 A. If it goes well.

24 **Q. Next I'm going to mark as Exhibit 45 a 78-page
25 draft of Crave, which is Bates-stamped Number 0038155**

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Deebs**

1 how many pages it is, so I can't tell you if it is half
2 of the book.

3 Q. Okay. Do you have any idea when this was
4 completed, this draft?

5 A. (Witness shakes head.)

6 Q. Well, if it was attached to the exhibit --

7 A. Some time in the summer.

8 Q. Yeah, if it was attached to the exhibit, it
9 would've been --

10 THE VIDEOGRAPHER: Counselor, you need to
11 raise your microphone up a little bit more.

12 Q. (By Mr. Passin) If it was attached to the
13 exhibit, it would've been July 2, 2019. Does that make
14 sense to you?

15 A. If it was attached to the exhibit, then yes.

16 Q. All right. Did Stacy ever get back to you on
17 what she thought about Jaxon or Grace?

18 A. I don't recall her getting back to me or what she
19 said, but if the book continued to move forward, I'm
20 sure I spoke with her or I don't remember if I was
21 speaking with Liz at this point.

22 Q. Did Stacy ever give you any suggestions on how to
23 make it better, the book better?

24 A. I remember Stacy giving me suggestions from Liz.
25 Liz thinks you should do this, Liz thinks you should do

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Deebs**

1 that.

2 **Q. Do you recall any other specific suggestions?**

3 A. At this juncture?

4 **Q. Yes.**

5 A. No.

6 **Q. Do you recall how many suggestions she made?**7 MR. GOETZEL: I'm sorry. She being Stacy or
8 Liz?9 **Q. (By Mr. Passin) Stacy making suggestions that Liz
10 supposedly said.**

11 A. Stacy making suggestions from Liz?

12 **Q. Yes.**

13 A. I don't know how many suggestions.

14 **Q. A lot or a little?**

15 A. The one that -- I don't know. I don't know.

16 **Q. And did you ever talk directly to Liz about
17 suggestions or was it always through Stacy?**18 A. No, I did speak with Liz for -- at one point, we
19 spoke for many hours.20 **Q. And when did that take place?**21 A. I don't remember. She was in an airport and we
22 spoke about her ideas for the book and my ideas for the
23 book and we went back and forth. Stacy was on the phone
24 call, but she -- I believe she hung up because Liz and I
25 were going back and forth. And I know that when I got

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1 it was -- the flight pattern was from San Diego to
2 Seattle to either Fairbanks or Anchorage. And I must
3 have, at one point, picked Anchorage.

4 And then -- whether I changed it to Fairbanks
5 because I forgot that I had chosen Anchorage and started
6 writing Fairbanks instead or if somebody realized that I
7 had Fairbanks and Anchorage in there and might've told
8 me to pick one and I -- when towards the end of the book
9 realized that Fairbanks is closer to Healy, I believe, I
10 might've chosen Fairbanks at that point.

11 **Q. Didn't you take it out because Lynne Freeman uses
12 Anchorage in her book?**

13 A. I had never heard of Lynne Freeman or her book at
14 the time Crave was published.

15 **Q. Anchorage was mentioned five times in the first
16 147 pages of Exhibit 21. Are you aware that Masked
17 mentions Anchorage five times in the first 150 pages?**

18 A. I have absolutely no idea what Masked mentions.

19 **Q. In various drafts of your manuscript for Crave,
20 you used the phrase frozen wasteland, and then in the
21 final version change it to hell has actually frozen
22 over. Are you aware that Masked uses the term frozen
23 wasteland?**

24 A. I am not aware.

25 **Q. In the drafts of Crave, you spell rakes**

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Deebs**

1 question. Go ahead.

2 A. Stacy Abrams did not content edit Crave.

3 Q. (By Mr. Passin) I didn't say that. She was a
4 copy editor, so she made edits. Didn't she?

5 A. That is between Liz and Stacy how she would make
6 those edits.

7 Q. Please describe to me the contributions you made
8 to each of the books, Crave, Crush, Covet and Court?

9 A. I wrote them.

10 Q. Please describe to me the contributions that Liz
11 Pelletier made to each of the books, Crave, Crush, Covet
12 and Court?

13 A. Liz helped me plot them and she edited them.

14 Q. I'm sorry. You said she helped you plot them?

15 A. She helped me plot them. We brainstormed and
16 plotted together, yes.

17 Q. Okay. And what does that mean exactly?

18 A. It means that we would talk about the books, we
19 would throw out ideas about the books, we would decide
20 on ideas about the books.

21 Q. But then ultimately you are the one that would
22 make the changes. Correct?

23 A. I am the one that wrote the books and turned them
24 over to her after they had been fully plotted and
25 written.

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1 Q. And describe to me the contributions that Stacy
2 Abrams made to each of the books, Crave, Crush, Covet
3 and Court.

4 A. Stacy Abrams was the copy editor.

5 Q. And who else was involved in editing any of the
6 books in the Crave book series?

7 A. I believe there were proofreaders involved. I
8 don't know who the proofreaders are.

9 Q. Okay. I'd like to --

10 A. And I believe Emily Sylvan Kim read each book
11 because she reads all of my books.

12 Q. I would like to mark as Exhibit 47 a letter dated
13 May 9th, 2022 from Nancy Wolff to me.

14 (Exhibit Number 47 was marked.)

15 Q. (By Mr. Passin) You see on the last page -- did
16 you receive a carbon copy of this letter on or about
17 February 9 of 2022?

18 A. I believe I received it after it was sent, yes.

19 Q. Look at the third paragraph. The first line
20 says, In this instance, Pelletier created the basic
21 story line for the Crave book series. Is that a true
22 statement?

A. She created the -- for Crave?

24 Q. Yes.

25 A. The one -- the first book --

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Deebs**

1 **Q. Yes. Well, no, it says the Crave series.**

2 A. I know. For Crave the first book, I created with
3 much input from Liz the plot. For Crush, I created a
4 synopsis of approximately the first half of the book.
5 Liz Pelletier created the synopsis for the rest of the
6 book.

7 For Covet, Liz Pelletier created the synopsis.

8 For Crave, there was not, to the best of my
9 recollection, a full synopsis of the book. What there
10 was --

11 **Q. For which book are we talking about?**

12 A. For Court. I'm sorry if I misspoke. For Court,
13 there was not, to the best of my recollection, a full
14 synopsis for the book. But what there was, Liz
15 Pelletier -- Liz Pelletier wrote, but we spoke and
16 brainstormed over Court a lot because it was a difficult
17 book.

18 **Q. Why was it so difficult?**

19 A. At the time we wrote it, we thought we were
20 wrapping up the series as we were brainstorming for it.
21 And I think we were both a little intimidated by that.

22 **Q. And what's the relationship between the synopsis
23 and the book?**

24 A. The relationship between the synopsis and the
25 book is that the book tends to follow -- the synopsis is

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Deebs**

1 the basic plot line of the book. The book tends to
2 follow that plot to a certain extent.

3 **Q. What do you mean by a certain extent?**

4 A. Any synopsis I have ever written or Liz has
5 written, I have deviated from in small ways because you
6 go as the book calls you.

7 **Q. All right. With respect to the synopsis for
8 Crave, how long was that synopsis?**

9 A. I have no recollection. I'm not -- I don't -- I
10 don't know if it was just a couple of pages of the notes
11 that you've already shown me -- shown or if it was
12 longer.

13 **Q. So it could be only a couple of pages?**

14 A. I don't know. I don't remember.

15 **Q. But you're saying -- how long is a synopsis
16 usually?**

17 A. Synopses can be anywhere from 2 pages to 100
18 pages. It just depends on the writer and the book.

19 **Q. And you have no recollection on how long the one
20 in Crave was?**

21 A. I do not.

22 **Q. Does it still exist today?**

23 A. If there was one that was longer than the pages
24 of notes, I would imagine that it would, but I don't
25 have a recollection of -- the way I -- the way I have a

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1 severe -- like, I have an actual recollection of writing
2 the first half -- or the first part of the synopsis for
3 Crush and then Liz looking it over and writing the rest
4 because she didn't like it, because she had a dream,
5 because any number, you know? I don't remember if there
6 is an actual synopsis the same way there was for Crush
7 and Covet. If there was for Crave, I do not remember
8 that.

9 **Q. All right. So you don't remember if there was**
10 **one for Crave, but didn't you say you created the plot.**
11 **Right?**

12 A. For Crave?

13 **Q. Yes.**

14 A. I created a lot of the plot points. As the back
15 and forth, we've looked at all afternoon shows, Liz was
16 very involved with everything from where it was
17 eventually set, not in Barrow, Alaska, to very involved
18 in the uncle and, you know, the main idea of who these
19 characters were and, like, as archetypes and wanting --
20 certainly inciting incidents of wanting her to go to the
21 school and her parents being dead or not around, I don't
22 remember exactly.

23 Very involved in she wanted Jaxon to not be
24 perfect, which is where the scar on his face came from
25 and several other things. She told me during editing

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1 that there was -- she thought there was a scene missing
2 for example. I think more than that she told me she did
3 not like the meet cute and I had to rewrite the meet
4 cute again.

5 And then I think the secondary, second half of it
6 when I was writing it where everything happens with Lia,
7 I believe that was -- I believe I remember, but I don't
8 know how many notes she had before I wrote the draft,
9 particularly of the second half of how everything
10 unfolds.

11 **Q. Did Liz put any of these -- any of this input in**
12 **writing other than what you've seen today?**

13 A. I don't remember. I don't. I don't recall. I
14 know that she and Stacy e-mailed back and forth or
15 talked. I know that I had several long conversations
16 with her.

17 **Q. And what about Crush? How long was the synopsis**
18 **in Crush?**

19 A. I don't remember.

20 **Q. But you wrote the first half?**

21 A. Yeah.

22 **Q. How long was the first half you wrote?**

23 A. I don't know.

24 **Q. Do you still have it?**

25 A. I believe if I do have it, it would be in the

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Deebs**

1 documents that you received.

2 Q. So in other words -- well, was it one of the
3 documents we saw today?

4 A. It was not one of the documents that we saw
5 today.

6 Q. Okay. I haven't seen the synopsis, but you think
7 if -- if you had it, it was produced?

8 A. If I had it, it would've been produced.

9 Q. And then you said you wrote the first half. Did
10 anyone finish it?

11 A. Liz Pelletier. Are we speaking of the synopsis?

12 Q. Yes.

13 A. Liz Pelletier finished the synopsis.

14 Q. How long was the part she wrote?

15 A. I have no idea.

16 Q. Have you seen that today in any of the documents?

17 A. I have not seen it today in any of the documents.

18 Q. Do you know if it's been produced?

19 A. I have no idea if it's been produced. I know
20 that we had a long phone conversation and I took many
21 notes on the second half of the book based on that phone
22 conversation.

23 MR. PASSIN: I'm sorry, can you read that
24 last thing back?

25 (Previous answer read back.)

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Deebs****Tracy Wolff**

1 today.

2 Q. All right. Is the following a correct sentence
3 -- a true sentence? The Crave book series was a
4 collaborative project with Pelletier providing to Wolff
5 in the writing the main plot, location, characters and
6 scenes?

7 A. May I see that? Oh, it's in front of me, I'm
8 sorry.

9 Q. That's in the third paragraph, it's down three
10 lines. Three and -- lines three and four.

11 A. The Crave series was a collaborative project with
12 Pelletier. It absolutely was a collaborative project
13 with Pelletier. Providing to Wolff in writing the main
14 plot, location, characters and scenes.

15 Q. That's not true. Is it?

16 A. She provided -- there were the text messages --
17 the messages and the e-mails that we saw.

18 Q. The messages --

19 A. Again, I don't --

20 Q. Wait, wait, stop. We didn't see any messages and
21 e-mails. What we saw -- well, we saw some things from
22 Stacy. Okay. So you're saying that was the things we
23 saw from Stacy?

24 A. The lines that Liz wrote in those things from
25 Stacy.

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Deebs**

1 Q. Right, yeah, but did that include the plot,
2 location, characters and scenes? I don't think so.

3 MR. GOETZEL: Object to the form. That's
4 not a question. You're arguing with the witness.

5 A. I don't remember --

6 MR. GOETZEL: Hold on, hold on.

7 THE WITNESS: Sorry.

8 MR. GOETZEL: Please don't argue with the
9 witness.

10 A. I don't remember -- I don't remember what was
11 provided in writing and what was oral.

12 Q. (By Mr. Passin) So as you sit here, you're saying
13 you cannot tell me whether the sentence, Pelletier
14 provided to Wolff in writing the main plot, location,
15 characters and scenes is true or false. Is that
16 correct?

17 A. I do not remember what was provided in writing
18 and what was over the -- over orally, over the phone.

19 Q. Have you ever read all or a portion of Masked?

20 MR. GOETZEL: Objection, asked and answered.
21 You can answer it again, but...

22 A. I have never read any portion of Masked.

23 Q. (By Mr. Passin) Has anyone ever sent you all or
24 any portion of Masked?

25 A. No one has ever sent me any portion of Masked.

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1 Q. Has anyone ever sent you any language from
2 Masked?

3 A. No one has any sent me any language from Masked.

4 Q. Has anyone ever communicated to you all or any
5 portion of the contents of Masked?

6 A. No one has ever communicated -- or I'm sorry.

7 Can you repeat the question?

8 Q. Has anyone ever communicated to you all or any
9 portion of the contents of Masked?

10 A. No one has ever communicated to me.

11 Q. Have you ever discussed any of the contents of
12 Masked with Emily Kim?

13 A. No, I have not.

14 Q. Have you ever discussed any of the contents of
15 Masked with Liz Pelletier?

16 A. I have not.

17 Q. Have you ever discussed any of the contents of
18 Masked with Stacy Abrams?

19 A. I have not.

20 Q. Have you ever discussed any of the contents of
21 Masked with anyone?

22 A. I have not.

23 Q. Have you ever discussed any of the language from
24 Masked with Emily Kim?

25 A. Any -- I have not.

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1 Q. Have you ever discussed any of the language with
2 Masked with Liz Pelletier?

3 A. I have not.

4 Q. Have you ever discussed any of the language from
5 Masked with Stacy Abrams?

6 A. I have not.

7 Q. Have you ever discussed any of the language with
8 Masked with anyone?

9 A. I have not.

10 Q. Have you ever had in your possession a partial or
11 a complete copy of Masked?

12 A. I have not.

13 Q. Did you ever discuss Lynne Freeman with Emily
14 Kim?

15 A. I have spoken to Emily Kim about Lynne Freeman
16 after the February 7th letter because I did not know who
17 she was.

18 Q. How many times have you spoken with her?

19 A. Since the February 7th letter?

20 Q. Yes.

21 A. Several times.

22 Q. And let's take the first time. Who else was
23 present besides the two of you?

24 A. I was on a phone call with her.

25 Q. And no one else was on the call?

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Deebs**

1 A. At some point, I believe Liz Pelletier was also
2 on the call.

3 **Q. And when did this call take place?**

4 A. I -- the -- I believe the day they got -- that
5 Emily got the letter of -- the February 7th letter.

6 **Q. And describe for me as best you can what everyone
7 said in that conversation.**

8 MR. GOETZEL: Hold on one second. I just
9 want to object to make sure if there weren't any
10 attorneys on the phone call. If there were --

11 THE WITNESS: There were no attorneys on the
12 phone call.

13 MR. GOETZEL: Okay. Then you can answer.

14 A. I said, I have no idea who Lynne Freeman is. Why
15 is she suing me or whatever this is? Emily told me she
16 was a former client of hers. I was -- honestly, I was
17 in complete shock. I had no idea what manuscript they
18 were referring to. I had no idea of what person they
19 were referring to, and I believe I kept asking, Who is
20 this person? What is this -- what is this book? Who is
21 this person? I've -- I don't know anything about this.

22 **Q. (By Mr. Passin) And what did Emily say on the
23 call?**

24 A. Emily told me Lynne Freeman was a former client
25 of hers.

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Deebs**

1 **Q. Anything else?**

2 A. She told me -- I don't remember exactly what she
3 told me. To put this in context, my mother died that
4 week and a lot of that week is a blur to me.

5 **Q. I'm sorry to hear that.**

6 A. Thank you. I was -- I had -- that morning, I had
7 been told that she would be dying in the next week or
8 so, and I remember very little of that week.

9 **Q. Do you recall what Liz Pelletier said in the
10 conversation?**

11 A. I believe Liz's answers were very similar to
12 mine. I have no idea who Lynne Freeman is. I have no
13 idea what this manuscript is. What is going on? What
14 is happening? I believe that is the gist of the entire
15 conversation.

16 **Q. All right. And what about the second
17 conversation you had regarding Lynne Freeman? When did
18 that take place?**

19 A. I don't remember if it was that week or the next
20 week. Again, that week is very much a blur for me. My
21 mother died on Thursday morning.

22 **Q. I apologize. I still have to go through the
23 questions.**

24 A. Yeah, I just -- I honestly do not remember
25 because I was very fixated on the fact that my mother

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Deebs****Tracy Wolff**

1 was dying down the hall from my office and...

2 Q. And do you recall what anyone said during that --
3 was that a phone call again?

4 A. It would not have been in person as Emily lives
5 in New Jersey.

6 Q. So was it just you and Emily or was someone else
7 on the call?

8 A. I believe it would've been just Emily and me and
9 I believe -- almost every time that we have spoken
10 follows the same pattern. This is so unfair, we didn't
11 do this, I have no idea why anyone would think that I
12 would do this. I've never copied anything in my life
13 from anybody else. I don't know why Lynne Freeman would
14 think that I would do this.

15 Q. All right. Do you recall anything else said on
16 that call or was that it?

17 A. No, I mean, that tends to be the gist of our
18 conversations about Lynne Freeman.

19 Q. And I thought there was a third conversation?
20 When did that take place?

21 A. There have been several conversations over the
22 course of the year and they all follow the same
23 situation, the same scenario. This is not fair, I don't
24 understand why it's happening. I don't understand why
25 she would think that I would do this. I don't remember

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1 meeting this woman. This is so unfair.

2 Q. All right. So did you --

3 A. I've never read this book, I've never heard of
4 this book. That's what the conversations tend to be.

5 Q. Have you told me now everything you discussed
6 about Lynne Freeman with Liz Pelletier?

7 A. Pretty much the same gist. This doesn't make
8 sense. We've never done this. Why would we do this?
9 We totally created this series all by ourselves.

10 Q. Did you ever discuss Lynne Freeman with Stacy
11 Abrams?

12 MR. GOETZEL: Again, sorry, object. What
13 timeframe are you talking about or referring to?

14 MR. PASSIN: Ever, ever.

15 A. I don't believe that we've ever discussed Lynne
16 -- I believe we spoke when we met -- when we -- at some
17 point in Chicago. I think I said, Oh, my gosh, this
18 lawsuit is a nightmare. I can't even believe this is
19 happening and she's just, like, You didn't do anything.
20 It's going to be fine. You didn't do anything.

21 Q. And when did that conversation take place?

22 A. Whatever date I was signing in Chicago, which
23 would've been in December.

24 Q. December of last year?

25 A. December of 2022.

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Deebs**

1 **Q. Okay. And --**

2 MR. GOETZEL: Excuse me just a second. I'm
3 curious, the -- are you recording this by phone or --

4 MR. BAER: Oh, no. No. There's no --

5 MR. GOETZEL: Yeah, I meant to ask when you
6 had it set up vertically like you were recording us.

7 MR. BAER: Yeah, sometimes my office will
8 text me and I have no -- there's no recording going.
9 There's no --

10 MR. GOETZEL: Okay, thanks.

11 **Q. (By Mr. Passin) Was anyone else present during**
12 **that conversation in Chicago?**

13 A. I don't remember.

14 **Q. Did you ever discuss Lynne Freeman with anyone**
15 **else other than what you just discussed with me the last**
16 **ten minutes?**

17 A. I have discussed Lynne Freeman with my fiancée.

18 **Q. And what did you discuss with your fiancée?**

19 A. Exactly the same thing. I don't understand how
20 she could possibly think that I would do this. I've
21 never seen her book. I've never heard of her book. I
22 would never steal from anybody.

23 **Q. How many YA books set in Alaska are you aware of?**

24 A. I have no idea.

25 **Q. Are you aware of any?**

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1 A. Crave.

2 **Q. Do you know anyone from Alaska?**

3 A. I know that I've met people from Alaska, but do I
4 know somebody closely from Alaska? I do not believe so.

5 **Q. Whose idea was it to use Alaska as a setting for
6 the Crave book series?**

7 MR. GOETZEL: Objection, asked and answered.
8 You can answer it again.

9 A. It was my idea to set a paranormal in Alaska.
10 And Emily Sylvan Kim was excited about the idea of
11 setting a paranormal in Alaska for my book and Liz
12 Pelletier had just come back I from a cruise and was
13 also very excited about using Alaska because she was
14 very excited about her cruise.

15 **Q. (By Mr. Passin) All right. Now, I may have asked
16 you and if I did I apologize, so why did you think
17 Alaska would be a good setting for the Crave book
18 series?**

19 A. Because it is dark, because there is civil
20 twilight, because vampires do well in darker climates
21 that are not sunshiny, because there was a line from a
22 documentary called The Art of Flight and they had made
23 the comment, one of the snowboarders, I do not remember
24 which one, had made the comment that they were walking
25 in a place where no human beings had ever walked or

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1 something to that effect. And it just stayed with me
2 and I always thought, that would be a really cool place
3 to set something where paranormals that didn't want to
4 be around humans or, like, giant dragons could fly free.

5 Q. I would like to mark next as Exhibit 48

6 Declaration of Tracy Deebs Elkenaney p/k/a Tracy Wolff.

7 (Exhibit Number 48 was marked.)

8 Q. (By Mr. Passin) First question is, is that your
9 signature on Page 6?

10 A. Yes.

11 Q. Okay. And you recall signing this on or about
12 March 2, 2023?

13 A. I do, yes.

14 Q. Okay. Turn to Paragraph 7. At the end --
15 towards the end of the paragraph, you say, I e-mailed
16 Mrs. Abrams on March 16, 2010 telling her that I thought
17 Tempest Rising was a better title than riptide or
18 Tempest. Do you see that?

19 A. I do.

20 Q. Do you have a copy of that e-mail?

21 A. I saw the e-mail when I wrote this, yes.

22 Q. You saw the e-mail when you wrote it? So did you
23 turn that over to your counsel?

24 A. I told my counsel about it and I know that they
25 had Ben Rose, the e-vendor, come into my computer and

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1 to the status of the synopsis?

2 A. About the synopsis, specifically about the
3 synopsis.

4 MR. PASSIN: Can we go off the record for
5 one minute?

6 THE VIDEOGRAPHER: We are now going off the
7 record. The time is 4:13 p.m.

8 (Brief recess.)

9 THE VIDEOGRAPHER: This is Media 6. We're
10 now back on the record at 4:27 p.m.

11 DIRECT EXAMINATION (cont'd.)

12 BY MR. PASSIN:

13 Q. All right. Do you know how many cards in a tarot
14 deck?

15 A. Off the top of my head? No.

16 Q. Okay. Which tarot cards were used in the Crave
17 series?

18 A. There was only one tarot card used in the Crave
19 series.

20 Q. And which one was that?

21 A. And I don't remember what it is. I remember that
22 it was a joke because it was done by a troll, he was
23 trolling her. I believe it was, like, whatever the
24 worst tarot card is.

25 Q. And you used it as a joke?

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1 A. I did use it as a joke.

2 Q. Explain to me the joke.

3 A. I used it in the prison and it was at the bottom
4 level. And Remy was walking Grace around and showing
5 them, you know, all these different things in the bottom
6 of the prison.

7 And he brought Grace in and said, Hey, why don't
8 you do a tarot -- I -- this is roughly paraphrasing.

9 Why don't you do a tarot card reading of, you know,
10 whatever, get a tarot card or whatever. Well, the guy
11 pulling it was a troll, and the whole concept is you're
12 being trolled. Have you heard of that term?

13 Q. Yes.

14 A. She was being trolled. So the troll gave her a
15 -- like, a really bad card. And she started -- you
16 know, she was, like, a little nervous and then she
17 realized the joke and she and Remy kind of laugh about
18 it.

19 THE VIDEOGRAPHER: Counselor, your
20 microphone.

21 Q. (By Mr. Passin) And why'd you put that in the
22 book?

23 A. Because I thought it was a funny joke.

24 Q. Has Emily Kim ever requested you send drafts or
25 manuscripts as RTF rich text files?

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1 I, TRACY WOLFF, have read the foregoing
 2 deposition and hereby affix my signature that same is
 3 true and correct, except as noted above.

4

5

6

7

TRACY WOLFF

8 THE STATE OF TEXAS)

9 COUNTY OF TRAVIS)

10 Before me, Leslie Walter Haas, on this
 11 day personally appeared TRACY WOLFF, known to me (or
 12 proved to me under oath or through Driver License)
 13 (description of identity card or other document) to be
 14 the person whose name is subscribed to the foregoing
 15 instrument and acknowledged to me that they executed the
 16 same for the purposes and consideration therein
 17 expressed.

18 Given under my hand and seal of office this
 19 23rd day of March, 2023.

20

21

22

23

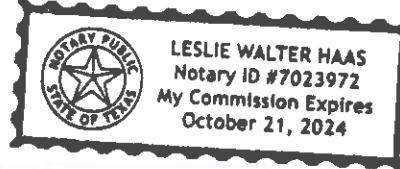
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Notary Public in and for

The State of Texas



Tracy Wolff

Confidential

Freeman vs.
Deebs

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

3 LYNNE FREEMAN,
4 AN INDIVIDUAL
5 PLAINTIFF,
6 VS.
7 TRACY DEEBS-ELKENANEY
8 P/K/A TRACY WOLFF, AN
9 INDIVIDUAL, EMILY SYLVAN
10 KIM, AN INDIVIDUAL,
11 PROSPECT AGENCY, LLC, A
12 NEW JERSEY LIMITED
13 LIABILITY COMPANY,
14 ENTANGLED PUBLISHING,
LLC, A DELAWARE LIMITED
LIABILITY COMPANY,
HOLTZBRINCK PUBLISHERS,
LLC D/B/A MACMILLAN,
A NEW YORK LIMITED
LIABILITY COMPANY, AND
UNIVERSAL CITY STUDIOS,
LLC, A DELAWARE
LIMITED LIABILITY COMPANY
DEFENDANTS.

CASE NO. 1:22-CV-02435-LLS

**REPORTER'S CERTIFICATION
DEPOSITION OF TRACY WOLFF**

March 07, 2023

I, Gabriela S. Silva, Certified Shorthand
Reporter in and for the State of Texas, hereby certify
to the following:

19 That the witness, TRACY WOLFF, was duly sworn by
the officer and that the transcript of the oral
20 deposition is a true record of the testimony given by
the witness;

21 I further certify that pursuant to FRCP Rule
30(f)(1) that the signature of the deponent:

23 X was requested by the deponent or a party before
the completion of the deposition and that the signature
is to be before any notary public and returned within
24 30 days from date of receipt of the transcript. If
returned, the attached Changes and Signature Page
25 contains any changes and the reasons therefor;

Tracy Wolff

Confidential

Freeman vs.
Deebs

1 _____ was not requested by the deponent or a party
2 before the completion of the deposition.

3 I further certify that I am neither counsel for,
4 related to, nor employed by any of the parties or
5 attorney in the action in which this proceeding was
6 taken, and further that I am not financially or
7 otherwise interested in the outcome of the action.

8 Certified to by me this 13th day of
9 March, 2023.



10 Gabriela S. Silva, Texas CSR(8706), RPR
11 Expiration Date: 01-31-25
12 Aptus Court Reporting
13 600 West Broadway, Suite 300
14 San Diego , CA 92101
15 Phone: 866.999.8310

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